

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

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| LARRY W. WAITS, | § | |
| Petitioner, | § | |
| | § | |
| v. | § | Civil Action No. 4:14-CV-725-O |
| | § | |
| WILLIAM STEPHENS, Director, | § | |
| Texas Department of Criminal Justice, | § | |
| Correctional Institutions Division, | § | |
| Respondent. | § | |

OPINION AND ORDER

Before the Court is a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed by Petitioner, Larry W. Waits, a state prisoner who was confined in the Bridgeport Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ), in Bridgeport, Texas, when the petition was filed, against William Stephens, director of TDCJ, Respondent. After considering the pleadings and relief sought by Petitioner, the Court has concluded that the petition should be dismissed as moot.

I. BACKGROUND

By this action, Petitioner sought release to mandatory supervision. Pet. 7, ECF No. 1. The TDCJ website and telephonic communication with the parole division of TDCJ confirms that Petitioner was released on parole in July 2015 and is no longer confined. As of this date, Petitioner has not notified the clerk of Court of his current address or whereabouts.

II. DISCUSSION

Petitioner's release has rendered his habeas petition moot. *Bailey v. Southerland*, 821 F.2d 277, 278-79 (5th Cir. 1987). Because this Court can no longer provide him with the relief he seeks, dismissal of the petition is appropriate. *McRae v. Hogan*, 576 F.2d 615, 616-17 (5th Cir. 1978).

III. CONCLUSION

For the reasons discussed herein, the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DISMISSED as moot. Further, pursuant to 28 U.S.C. § 2253(c), for the reasons discussed herein, a certificate of appealability is DENIED.

SO ORDERED on this 11th day of March, 2016.


Reed O'Connor
UNITED STATES DISTRICT JUDGE